

REMARKS/ARGUMENTS

The office action of March 28, 2003 has been carefully reviewed and these remarks are responsive thereto. Claims 1-46 are pending in this application. By the present amendment, Applicants have amended claims 1, 12, and 23, added new claims 37-46. Reconsideration and allowance of the instant application are respectfully requested.

Claims 1, 2, 4-7, 9-13, 15, 16, 18-24, 26, 27 and 29-35 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Aggarwal *et al.* (U.S. Pat. No. 6,154,463, hereinafter Aggarwal). Applicants respectfully traverse this rejection for at least the following reasons.

Aggarwal describes a system and method for multicast conferencing and online discussion groups using a periodically determined close-to-optimal Steiner spanning tree. (Aggarwal, Abstract). While Aggarwal does describe an embodiment wherein the system and method are used with mobile applications, e.g., a computer in a moving vehicle or a portable PC being carried by a person (Aggarwal, col. 17, lines 57-60), Aggarwal describes nothing more than conventional handoff techniques between cells in a mobile network. Aggarwal even states, with respect to handoff from one cell to another:

...a mobile application has adequate communications with *more than one base station* during transition from an old to a new base station, in accordance with *well-known* cellular telecommunications or personal communications network techniques.

(Aggarwal, col. 18, lines 3-7, emphasis added). Aggarwal does not describe any new or innovative handoff techniques, much less the handoff technique recited in independent claims 1, 12, 23, or 34. Unlike the present invention as claimed in amended claims 1, 12 and 23, a mobile application in the Aggarwal system receives information regarding multiple base stations separately from each of those multiple base stations. Aggarwal, col. 18, lines 2-5.

Amended claims 1, 12 and 23, however, recite that a mobile terminal receives from a base station corresponding to the first cell, multicast session information for a plurality of cells comprising the first cell and a second cell. That is, a mobile terminal according to amended claims 1, 12 and 23 receives, from a single base station, information corresponding to a plurality of base stations. The mobile terminal thus is not required to wait until it is in communication

with the second base station before receiving multicast session information, thereby expediting the handover process.

In order to reject a claim as anticipated under 35 U.S.C. §102, a single prior art reference must teach every aspect of the claimed invention. MPEP § 706.02. Because Aggarwal does not teach every aspect of amended independent claims 1, 12 and 23, e.g., receiving from a base station corresponding to the first cell, multicast session information for a plurality of cells comprising the first cell and a second cell, Aggarwal does not anticipate these claims, and this rejection is respectfully traversed.

Claims 2, 4-7, 9-11, 13, 15-16, 18-22, 24, 26-27, and 29-33 are allowable for all the reasons given above concerning their respective base claims.

In addition, with respect to claims 6, 22, and 33, Aggarwal does not describe the predetermined condition comprises receiving predetermined user input.

With respect to claims 7, 16 and 27 Aggarwal does not describe receiving a digital video broadcast terrestrial (DVB-T) multicast session.

With respect to claims 9, 18 and 29, Aggarwal does not describe the multicast session information comprises link-level access parameters corresponding to the first and second cells, because, as noted above, Aggarwal only describes previously known, conventional, handover techniques.

Independent claim 34 recites, inter alia, "tuning to a logical announcement channel" and "receiving a session announcement corresponding to a multicast session, the session announcement comprising information that maps link-level access parameters in each of a plurality of cells to the multicast session," neither of which is described by Aggarwal. As noted above, Aggarwal only describes conventional handover techniques. Neither the cited portion of Aggarwal, or any other portion of Aggarwal, describes a logical announcement channel through which multicast session announcements comprising link-level information are received. Because Aggarwal does not teach every aspect of original independent claim 34, e.g., "tuning to a logical announcement channel" and "receiving a session announcement corresponding to a multicast session, the session announcement comprising information that maps link-level access parameters in each of a plurality of cells to the multicast session," Aggarwal does not anticipate original claim 34.

- Claim 35 is allowable for at least the same reasons as its base independent claim 34.

Claims 3, 14 and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Aggarwal in view of the examiner's Official Notice. Without addressing the merits of this rejection at this time, Applicants submit that claims 3, 14 and 25 are allowable based on the allowability of amended base claims 1, 12 and 23, respectively.

Claims 8, 17, 28 and 36 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Aggarwal in view of Das et al. (U.S. Patent Application Publication No. 2001/0036834 A1). Without addressing the merits of this rejection at this time, Applicants submit that claims 8, 17, 28 and 36 are allowable based on the allowability of their base claims 1, 12, 23, and 34, respectively.

Applicants have added new claims 37-46, which are supported by the original application as filed. No new matter has been added.

CONCLUSION

The Commissioner is authorized to debit our Deposit Account No. 19-0733 in the amount of \$264.00 for additional claim fees.


All rejections having been addressed, applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. However, if for any reason the Examiner believes the application is not in condition for allowance or there are any questions, the examiner is requested to contact the undersigned at (202) 824-3153.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: June 9, 2003

By:


Ross Dannenberg, Registration No. 49,024

1001 G Street, N.W.
Washington, D.C. 20001-4597
Tel: (202) 824-3000
Fax: (202) 824-3001

RAD/mmd